

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|-----------------------|---|----------------------------------|
| HENRY L. MURPHY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 3:05-CV-501-MHT |
| |) | |
| JIMMY ABBETT, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

On February 15, 2006, this court entered an order, a copy of which the Clerk mailed to the plaintiff. This order could not be delivered because the plaintiff was no longer at the address he had provided for service. In the order of procedure entered in this case, the court instructed the plaintiff that he must immediately inform the court of any new address. *See Order of June 28, 2005 - Court Document No. 5* at 5. It is clear from the foregoing that the plaintiff has failed to comply with this requirement. This case cannot properly proceed in this court if the whereabouts of the plaintiff remain unknown. Accordingly, it is

ORDERED that:

1. On or before March 9, 2006, the plaintiff shall show cause why this case should not be dismissed for his failure to comply with the orders of this court and his failure to adequately prosecute this action.
2. The defendants shall file no response to the complaint unless and until further order of this court.

The plaintiff is specifically cautioned that if he fails to respond to this order the Magistrate Judge will recommend that this case be dismissed.

Done this 28th day of February, 2006.

/s/ Vanzetta Penn McPherson
UNITED STATES MAGISTRATE JUDGE